

DAEC Briefing Service Contracting Review and Contract Bundling Taskforce

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About CSA

- Represents hundreds of companies that provide a wide array of services to Federal, state, and local governments, and do over \$40 billion in Government contracts and employ nearly 500,000 workers.
- CSA members include small businesses, 8(a)-certified companies, small disadvantaged businesses, women-owned HubZone and Native American owned firms – and, of course, the big guys.
- The goal of CSA is to put the private sector to work for the public good.
- Training Programs (e.g., Program Manager Certification, Service Contract Act and others – more info on website)
- **ServiceSCOPE**: monthly public policy newsletter & issue update; Public Policy Email Alerts -- anyone can subscribe (see the website)
- **Website:** www.csa-dc.org

Service Contracting Review

BASIS FOR REVIEW:

- The statutes and regulations that have grown up on a piece-meal basis to govern services contracting are in need of review and possible overhaul.
- What is FAR Part 37 and what does it mean to me (as a government contractor or an agency acquisition personnel)
 - Is it needed?
 - Or should it be revised to ensure that all service related regulations are in one place for easy reference?

Service Contracting Review

Some of the parameters of what we are looking at:

- From an overall broad policy perspective, if we could start today with a clean sheet of paper, how should we look at Government services contracting?
- What regulations are potentially obsolete (e.g., do we really need special rules governing advisory and assistance services)?
- What currently works? What does not work any longer?
- How should performance-based services contracting be handled? Is this even the proper term for such contracting?
- Should the Federal Supply Schedules be modified, or even a SEPARATE Federal SERVICES schedule be developed, to address the differences in pricing for service contracts?

Service Contracting Review

Four Groups were established to review laws/regulations/policies affecting service contracting

- Small Business – issues to consider include contract bundling in service contracting; SBA decisions related to service contracting; small business related service contracting regs in Part 15 CFR.
- Schedules (GSA, GWACs, IDIQ, task order, etc) – issues to consider include whether the Federal Supply Schedules should be modified, or should a Federal SERVICES schedule be separately developed, to address the differences in pricing for service contracts?
- Performance-Based Services Contracting – issues to consider include the use of performance-based services contracting, and the need to consider it upfront during the acquisition planning process.
- Categories of Services – issues to consider include whether should there be a different policy to cover different kinds of service contracting?

Service Contracting Review

- Time Frame: 2005
- Participants:
 - Individual company volunteers
 - Other associations (e.g., ITAA, PSC, NDIA and Chamber of Commerce, etc); Acquisition Reform Working Group, co-chaired by CSA
- Coordination:
 - Section 1423 Panel
 - DOD DPP office, which has own on-going effort
 - Ad hoc meetings with other agency officials (e.g., SBA and GSA)
 - Relevant Committees (HASC/SASC and Government Reform/Affairs)
- Initial Findings:
 - Commercial services definition still needs work
 - Consolidate services related regulations in Part 37

Contract Bundling & Consolidation taskforce

- CSA-led taskforce to review issues surrounding contract bundling; develop consensus.
- Main problem is in understanding the definition of bundling – is it what the CFR and regulations say it is?
 - 1997 SBA Re-engineering Act
 - CICA (as interpreted by GAO)
 - FY04 DOD Authorization
 - H.R. 2802
 - Personal interpretation

Contract Bundling & Consolidation Taskforce

Parameters of Review:

- Identify the environment and interactions (what does the government do; what does industry think; how does Congress react)
- Identify the stakeholders
- What is the problem, and what it's not
- Identify definition of requirements and contracting process
- Identify how the process can be influenced to increase opportunities (at all levels) for small businesses; including encouraging teaming and joint ventures

Contract Bundling & Consolidation Taskforce

- Time Frame: 2005
- Participants:
 - Individual company volunteers
 - Other associations (e.g., ITAA, PSC, NDIA and Chamber of Commerce, HUBZONE Council, NFIB, etc)
- Coordination:
 - DOD Small Business Office
 - SBA
 - House and Senate Small Business Committees